

REMARKS

The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

35 U.S.C. §121 Election/Restrictions

The Patent Office has issued a restriction under 35 U.S.C. § 121 to one of the following inventions:

- I. Claims 1-4, drawn to a compositions, classified in class 977, subclass 742;
- II. Claims 5-13, drawn to a library, classified in class 435, subclass DIG 22;
- III. Claims 14-19, drawn to a method of nucleic acid sequencing, classified in class 435, subclass 6;
- IV. Claims 20-23, drawn to a method of producing carbon nanotubes, classified in class 977, subclass 842;

In response to the restriction, the Applicants hereby elect, without traverse, to prosecute the claims of Group II in the present application. Applicant makes this election without prejudice to the right to prosecute the non-elected claims in one or more other patent applications. Currently claims 5-13 and new claims 24-26 are encompassed by the elected Group II.

Additionally, Applicants hereby request that the Examiner rejoinder newly added claims 27-40, which are also withdrawn herein, in the event that a product claim from which they depend or are amended to depend is found to be allowable. Additionally, the Examiner is reminded of the already allowed claims in the parent case, Application Serial No. 09/991,610.

Conclusion

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance. Applicants respectfully request that the rejections be withdrawn and the claims be allowed at the earliest possible date.

Request For Telephone Interview

The Examiner is invited to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

Request For An Extension Of Time

The Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

Charge Our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 7/20/06

Brent E. Vecchia
Brent E. Vecchia
Reg. No. 48,011

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1030

Atty Docket No. 42P13119D
Application No. 10/763,674